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Attorneys for Plaintiff
RENEWED EFFORTS OF NEIGHBORS
AGAINST LANDFILL EXPANSION

**UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

RENEWED EFFORTS OF NEIGHBORS
AGAINST LANDFILL EXPANSION, an
unincorporated association,

Plaintiff,

vs.

COUNTY OF SONOMA, a political
subdivision of the State of California;
SONOMA COMPOST COMPANY, a
corporation; SONOMA COUNTY WASTE
MANAGEMENT AGENCY, a public
agency,

Defendants.

Case No. 3:14-CV-03804-TEH

**STIPULATION TO DISMISS
PLAINTIFF'S CLAIMS WITH
PREJUDICE AGAINST COUNTY OF
SONOMA AND DEFENDANT SONOMA
COUNTY WASTE MANAGEMENT
AGENCY; ~~[PROPOSED]~~ ORDER
GRANTING DISMISSAL OF CLAIMS
WITH PREJUDICE AGAINST COUNTY
OF SONOMA AND SONOMA COUNTY
WASTE MANAGEMENT AGENCY**

[FRCP 41(a)(2)]

WHEREAS, on June 17, 2014, Plaintiff Renewed Efforts of Neighbors Against Landfill Expansion ("RENALE") provided Defendants County of Sonoma ("Sonoma"), Sonoma Compost Company ("Sonoma Compost"), and Sonoma County Waste Management Agency ("SCWMA") with a Notice of Violations and Intent to File Suit ("Notice") under Clean Water Act § 505, 33

U.S.C. § 1365.

WHEREAS, on August 21, 2014, RENALE filed its Complaint against Defendants in this Court, *Renewed Efforts of Neighbors Against Landfill Expansion v. County of Sonoma, Sonoma Compost Company, and Sonoma County Waste Management Agency*, Case No. 3:14-cv-03804-TEH. Said Complaint incorporates by reference all of the allegations contained in RENALE's Notice.

WHEREAS, RENALE and Sonoma and SCWMA (the "settling parties"), through their authorized representatives and without either adjudication of RENALE's claims or admission by Sonoma and SCWMA of any alleged violation or other wrongdoing, have chosen to resolve in full by way of settlement the allegations of RENALE as set forth in the Notice and Complaint, thereby avoiding the costs and uncertainties of further litigation. A copy of the Settlement Agreement and Mutual Release of Claims ("Settlement Agreement") entered into by and between RENALE and Sonoma and SCWMA is attached hereto as Exhibit 1 and incorporated by reference.

WHEREAS, the settling parties submitted the Settlement Agreement via certified mail, return receipt requested, to the U.S. EPA and the U.S. Department of Justice and the 45-day review period set forth at 40 C.F.R. § 135.5 has completed. The federal agencies have submitted correspondence to the Court indicating that they have no objection to the terms of the Settlement Agreement.

NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and between the settling parties that RENALE's claims as to Sonoma and to SCWMA, as set forth in the Notice and Complaint, be dismissed with prejudice. The settling parties respectfully request an order from this Court dismissing such claims. In accordance with Paragraphs 2 and 21 of the Settlement Agreement, the settling parties also request that this Court maintain jurisdiction over the settling parties through the later of the 30th day after Sonoma provides written notification to RENALE pursuant to

Paragraph 9 (of the Settlement Agreement) of Sonoma's written acceptance of the return by SCWMA to Sonoma of the Compost Facility site in clean condition or through the completion of any payment required by the Settlement Agreement, for the sole purpose of resolving any disputes between the parties with respect to enforcement of any provision of the Settlement Agreement..

Dated: July 20, 2015

Respectfully submitted,

LOZEAU DRURY LLP

By: /s/ Douglas J. Chermak
Douglas J. Chermak
Attorneys for Plaintiff
RENEWED EFFORTS OF NEIGHBORS AGAINST
LANDFILL EXPANSION

Dated: July 20, 2015

HUNTON & WILLIAMS LLP

By: /s/ William Um (as authorized on 7/17/15)
WILLIAM UM
Attorneys for Defendant
COUNTY OF SONOMA

Dated: July 20, 2015

BEST BEST & KRIEGER LLP

By: /s/ Gene Tanaka (as authorized on 7/17/15)
GENE TANAKA
SHAWN HAGERTY
Attorneys for Defendant
SONOMA COUNTY WASTE MANAGEMENT
AGENCY

~~[PROPOSED]~~ ORDER

Good cause appearing, and the parties having stipulated and agreed,

IT IS HEREBY ORDERED that Plaintiff Renewed Efforts of Neighbors Against Landfill Expansion's claims against Defendant County of Sonoma and Defendant Sonoma County Waste Management Agency as set forth in the Notice and Complaint filed in Case No. 3:14-cv-03803-TEH,

are hereby dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).

IT IS FURTHER ORDERED that the Court shall retain jurisdiction over Renewed Efforts of Neighbors Against Landfill Expansion, County of Sonoma, and Sonoma County Waste Management Agency through the later of the 30th day after County of Sonoma provides written notification to RENALE pursuant to Paragraph 9 (of the Settlement Agreement) of Sonoma's written acceptance of the return by SCWMA to Sonoma of the Compost Facility site in clean condition or through the completion of any payment required by the Settlement Agreement, for the sole purpose of resolving any disputes between the parties with respect to enforcement of any provision of the Settlement Agreement, attached to the Stipulation to Dismiss as Exhibit 1, which Settlement Agreement is hereby incorporated by reference.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 07/21, 2015

